

FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY  
**Sanctuary Advisory Council Meeting**

Meeting Minutes, Wednesday, December 13, 2006

FGBNMS Headquarters  
4700 Ave. U., Bldg. 216, Galveston, TX

Advisory Council Members Present:

Frank Burek, Recreational Diving  
Dick Zingula, Recreational Diving (Alternate)  
Frank Wasson, Diving Operations  
Art Melvin, Diving Operations (Alternate)  
Clint Moore, Oil & Gas Production  
Tim Gibson, Oil & Gas Production (Alternate)  
Irby Basco, Recreational Fishing  
John Stout, Recreational Fishing (Alternate)  
Joe Hendrix, Commercial Fishing  
John Embesi, Research (Alternate)  
Haidee Williams, Education  
Kristina Hardwick, Education (Alternate)  
Page Williams, Conservation  
Dana Larson, Conservation (Alternate)  
James Sinclair, Minerals Management Service  
Rusty Swafford, NOAA Fisheries

Advisory Council Members Absent:

Ian MacDonald, Research  
Beth Keister, U.S. Coast Guard

\*Note: The following seat is vacant: Commercial Fishing-Alternate

FGBNMS and NMSP Staff Members Present:

G.P. Schmahl, Sanctuary Manager  
Jennifer Morgan, Advisory Council Coordinator  
Emma Hickerson, Research Coordinator  
Lindsay Kurelja, Marine Operation Coordinator  
Vicki Wedell, NMSP Policy Analyst

Others

Alan Bunn, NOS W. Gulf of Mexico Navigation Manager

The regular meeting of the FGBNMS Advisory Council was called to order at 9:20 AM. Frank Wasson, Council Chair, lead the meeting. Vice-Chair Irby Basco was also present. The agenda was approved. Haidee Williams moved to accept the minutes of the August 2006 meeting without changes. Joe Hendrix

seconded the motion. G.P. Suggested that agenda items now be forwarded to Frank Wasson in advance of Council meetings.

Frank Wasson led a discussion on future meeting dates for 2007. G.P. Schmahl suggested that meetings should be held at least quarterly, with additional working group meetings and workshops for management plan review. The discussion noted the MPR milestone schedule, the summer research cruise schedule, and the length of time required to complete draft MP and NEPA documents. **The Council reached consensus on the following schedule for 2007 meeting dates: Thursday, Feb. 1, Thursday, April 19, Thursday, Sept. 27, and Thursday, Dec. 6.**

G.P. Schmahl introduced Charles Tyer, special agent with NOAA law enforcement. Charles Tyer gave a presentation on the role of NOAA law enforcement. Mr. Tyer covers district 3, ranging from Harlingen, Texas to the Florida panhandle. He noted that enforcing regulations at the sanctuary is difficult due to its location. All marine sanctuaries have a dedicated agent. The biggest law enforcement concern at present is that there is no presence at the sanctuary and no vessel to get them there. They work with the coast guard and state enforcement agencies to develop policies. Mr. Tyer addressed questions on violations and enforcement actions, use of VMS on recreational and commercial vessels, sanctuary boundaries on navigation charts, and random vessel boardings. Mr. Tyer stated that his priority enforcement issue is damage to coral, primarily from anchoring. Further discussion by the Council focused on public outreach opportunities, including reporting forms that could be made available on the FGBNMS website and the use of follow-up email or postcards to let people know that reported violations are being acted upon. Mr. Tyer noted the hotline number for NOAA Fisheries Office for Law Enforcement and made decals available. Following the working lunch, **Joe Hendrix made a motion to develop a reporting form to be posted on the FGBNMS website. Dana Larson seconded the motion. Art Melvin amended the motion: allow FGBNMS staff to create a form for reporting violations and place it on the sanctuary website and then allow the SAC to comment on it. The motion was seconded. A vote was taken; none opposed.**

G.P. Schmahl, sanctuary superintendent, gave a sanctuary update. G.P.'s presentation began with an overview of the recent scoping meetings. He discussed attendance and format and gave a quick review of the scoping comments received. The presentation also addressed the Nancy Foster cruise, ongoing work with NCCOS, the IMAX film Deep Sea 3D, the FGBNMS segment on "America's Underwater Treasures" on PBS, summer coral spawning cruises, and the roll-out of the new FGB website.

Immediately following a working lunch, a public comment period was allowed. No members of the public were present.

G.P. recognized Haidee Williams as the 2006 Flower Garden Banks National Marine Sanctuary Volunteer of the Year and awarded a plaque presented from the National Marine Sanctuary Foundation.

Lindsay Kurelja spoke to the Council and provided an update on construction of the sanctuary's new vessel. The presentation generated much discussion about the vessel capabilities and funding needs. The Council inquired about a method for making donations and the possibility of sanctuary staff preparing a professional looking packet to present to funding entities.

Kay Crouch, Crouch Environmental Services, facilitated the afternoon's Issue Prioritization Workshop.

**Workshop Notes:**

- When looking at public comment, the top issues are very obvious—fishing and boundary expansion
- Will receive more push back if propose boundary expansion than if banning fishing
- May not need to ban fishing completely in concert with boundary expansion; if do both at same time, will be difficult; as other areas come online, gradually limit fishing; no political will to do both at once; protection of expanded areas does not mean no fishing
- Boundary expansion is to prevent damage from anchoring; not related to fishing
- Discussion on weight of public comment; how do you judge importance
- Concern that many comments categorized wrong...many should be education and outreach
- Comments are really what the public *perceives* to be the risks to the sanctuary
- Contact commenter? Yes
- Fishing may not be a big risk to the sanctuary
- Fishing is a subset of *Fish*
- Check-in system: VMS; enforcement and education
- Enforcement is a part of all analyses
- Working groups need to document; need a NEPA expert on each group
  - There is good NEPA experience on council to provide input to working groups
- Staff member on each working group
- Some working groups may be long-term; mgmt. plans can surround on-going activities and program areas; others can have large emerging issues
- Groups can have on-going meetings or workshops to tackle issues
- Work groups use comments as feedback
- Issue is fishing; not fish
- Not necessary to prioritize; let each workgroup do that

- Original goal when the sanctuary was established was to protect coral (species management); now ecosystem management
- Use workgroups already established for the purpose of drafting Goals and Objectives statements to work on action plans
- Purpose of work groups: take set of issues and develop alternatives and identify strategies
- Workgroups need to include outside people, experts
- Groups will recruit outsiders and choose and evaluate tools to use; analyze alternatives, develop preferred alternative
- Deadline for working group products will be the May SAC meeting
- SAC Issues ranking:
  - Enforcement
  - Harvesting: Fishing
  - Pollutant Discharge
  - Wildlife Impacts: Contact
  - Regional Water Quality
  - Invasive Species
  - Pollutant Discharge: Vessels
  - Visitor Use: Increase
  - Coral Disease
  - Habitat Connectivity
- Big Public Issues:
  - Ban Fishing
  - Boundary Expansion

### **Work groups: Fishing, Education/outreach, boundary expansion**

The following teams will address issues that fall under the noted goals and objectives:

#### **Bucket 1 - Goals 1 and 6**

Chair: Frank Burek

Members: Irby Basco, Page Williams, Clint Moore, Joe Hendrix, Kristina Hardwick, James Sinclair, G.P. Schmahl.

#### **Bucket 2 - Goals 2,3,5**

Chair: Haidee Williams

Members: Art Melvin, John Embesi, Dana Larson, Emma Hickerson

#### **Bucket 3 - Goals 4 and 7**

Chair: Frank Wasson

Members: John Stout, Dick Zingula, Tim Gibson, Lindsay Kurelja

At the February meeting, each Bucket will provide a preliminary early draft noting major issues; a narrative based on the action plans of Grays Reef Sanctuary, using the FGBNMS goals and objectives statements.

Administrative items addressed before the close of the meeting included SAC letterhead and the Sports Fish Restoration Fund. Jennifer Morgan explained that final design of the SAC letterhead could be handled through email. The SFRF discussion was tabled until the next meeting.

The meeting adjourned at 4:00 pm.